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FEE TRANSMITTAL
For FY 2006

[X] Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT ($) 0.00

Complete if Known	
Application Number	10/777,770-Conf. #2955
Filing Date	February 13, 2004
First Named Inventor	Ron Halliburton
Examiner Name	S. Pandya
Art Unit	3714
Attorney Docket No.	36888-201052

METHOD OF PAYMENT (check all that apply)

[] Check [] Credit Card [] Money Order [] None [] Other (please identify): _____

[X] Deposit Account Deposit Account Number: 22-0261 Deposit Account Name: Venable LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

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[X] Credit any overpayments

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

	FILING FEES		SEARCH FEES		EXAMINATION FEES		
Application Type	**Fee ($)**	**Small Entity Fee ($)**	**Fee ($)**	**Small Entity Fee ($)**	**Fee ($)**	**Small Entity Fee ($)**	**Fees Paid ($)**
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	**Fee ($)**	**Small Entity Fee ($)**
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	**Extra Claims**	**Fee ($)**	**Fee Paid ($)**
_____ - 20 =	_____	x _____	= _____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	**Extra Claims**	**Fee ($)**	**Fee Paid ($)**
_____ - 3 =	_____	x _____	= _____

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims

Fee ($)	**Fee Paid ($)**
_____	_____
_____	_____

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	**Extra Sheets**	**Number of each additional 50 or fraction thereof**	**Fee ($)**	**Fee Paid ($)**
_____ - 100 =	_____	/50 _____ (round up to a whole number) x	_____	= _____

4. OTHER FEE(S) **Fees Paid ($)**

Non-English Specification, $130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

SUBMITTED BY

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DC2DOCS1/810101

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APR 26 2007
PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of:

Ronald D. HALLIBURTON *et al.*

Appl. No. 10/777,770

Confirmation No. 2955

For: Solitaire Game Played Over the Internet with Features to Extend Play

Art Unit: 3714

Examiner: S. PANDYA

Atty. Docket No. 36888-201052

Customer No.
26694
PATENT TRADEMARK OFFICE

APPEAL BRIEF
(Corrected)

Mail Stop: Appeal Brief - Patents
Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Final Office Action dated March 28, 2006, and the Notification of Non-Compliant Appeal Brief dated March 26, 2007, Appellants submit herewith a *corrected* Appeal Brief in accordance with 37 C.F.R. § 41.37. The required small entity fees of $250 for the appeal brief and $225 for the two-month extension of time were already charged at the time the original appeal brief was filed (October 30, 2006). Therefore, it is not believed that extensions of time or other fees are required beyond those that may otherwise be provided for in documents accompanying this paper. If, however, additional extensions of time are needed to prevent abandonment of this application, such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including any other fee deficiency), are hereby authorized to be charged, and any overpayments credited to, our Deposit Account No. 22-0261.

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(i) REAL PARTY IN INTEREST. Tournament Games, LLC a corporation organized under the laws of Tennessee, is the real party in interest for this appeal.

(ii) RELATED APPEALS AND INTERFERENCES. There are no pending related appeals or interferences.

(iii) STATUS OF CLAIMS. Claims 1-27, 29 and 30 are pending in this application. Claims 1-27, 29 and 30 are the subject of this appeal.

(iv) STATUS OF AMENDMENTS. There are no outstanding amendments to this case.

(v) SUMMARY OF CLAIMED SUBJECT MATTER.

The independent claims on Appeal are claims 1, 11, and 12. Claims 2-5, 7, 10, 13-16, 18, 19, 21, 24-27, and 29-30 depend variously from one of the respective independent claims and stand or fall accordingly as indicated further below. Claims 6, 8, 9, 17, 20, 22, and 23 depend variously from one of the respective independent claims and are argued separately.

Group I – Claims 1-5, 7, 10 and 11

Claim 1 recites a method for playing a computer-based Klondike-style solitaire game in a tournament framework (*see e.g.*, page 7, lines 6-9; pages 29-30; FIGS. 11a, 11b). The method comprises:

- selecting a tournament event (*see* 1010 in FIG. 8A) having predetermined entry criteria and game features from a game menu, wherein said entry criteria comprises a tournament start time (*see e.g.*, page 13, lines 7-15; page 25, line 5; FIGS. 6 and 8a),

- retrieving input over the internet (*see* 1026 in FIG. 8b) regarding said tournament event including data to generate a random card sequence and instructions to enable said game features associated with said selected tournament event from a server 2026 (FIG. 9) to a personal computer 2000, 2030, 2032, 2034 after said tournament start time and before a tournament ending event, wherein said game features comprise game rules and game patterns to extend play, and graphic elements (*see e.g.*, page 25, line 20 – page 26, line 2; FIG. 8b),
- playing and scoring solitaire games (*see* 1028 in FIG. 8b; FIG. 11a) according to said input by moving cards from play stacks (*see e.g.*, 17a-17e in FIG. 1) to a column 12 or an ace stack 24 or between said columns 12 in said personal computer 2000, 2030, 2032, 2034 (FIG. 9) and said score is based in part on the speed that a player successfully makes a move (*see e.g.*, page 26, lines 2-3; page 29, line 17 – page 30, line 8; FIGS. 8b &11a),
- transmitting scores (*see* 1036 in FIG. 8c; *see also* FIG. 11b) from said personal computer 2000, 2030, 2032, 2034 (FIG. 9) over the internet 2022 to a server 2026 after said game is complete and before said tournament ending event occurs (*see e.g.*, page 16, lines 19-22; page 21, lines 15-17; page 26, lines 6-7; page 30, lines 9-10; FIGS. 8c & 11b),
- comparing said score (*see* 1042 in FIG. 8c; *see also* FIG. 11b) to the scores of other players that are entered into said tournament event, and, in the event that said transmitted score is determined to be a winning score, transmitting information comprising the game play sequence (*see* 1044 in FIG. 8c) (*see e.g.*, page 16, line 22 – page 17, line 1; page 17, line 21 – page 18, line 1; page 21, lines 15-17; page 26, lines

11-16; page 30, lines 10-12; FIGS. 8c & 11b), and

- displaying said scores on a website that can be accessed by said players (*see* 1046 in FIG. 8c; *see also* FIGS. 7 & 11b), and wherein said personal computer 2000, 2030, 2032, 2034 (FIG. 9) only receives input from said internet server 2026, before and after said solitaire game (*see e.g.*, page 15, line 18 – page 16, line 2; page 16, lines 17-20; page 26, lines 18-21; page 30, line 12; FIGS. 7, 8c, 11b).

Claim 11 is an independent claim. It recites a computer-based Klondike-style solitaire tournament game (*see e.g.*, page 7, lines 6-9; pages 29-30; FIGS. 11a, 11b) comprising:

- a network connection 2022 to a server 2026 for retrieving an input (1026 in FIG. 8b) and for comparing scores (1042 in FIG. 8c) (*see e.g.*, FIGS. 8b, 8c, & 9; pages 27-28).

- a control system 2000, 2030, 2032, 2034 for a player, said control system 2000, 2030, 2032, 2034 comprising means 2002, 2006, 2010 for operating on said input (*see e.g.,* FIG. 9; pages 27-28; page 14, lines 3-7; page 15, lines 7-12; page 21, lines 10-11), means 2022 to transmit scores to said server 2026 (*see e.g.,* FIG. 9; pages 27-28; page 16, lines 19-22; page 21, lines 16-19), and means 2004 for displaying said input and said comparison results to said players (*see* FIGS. 7 and 9; page 17, lines 9-17; page 26, lines 18-21), wherein said input comprises a scoring method and a game pattern which is unique to each player and said input is controlled and predetermined by said server 2026 (*see e.g.*, page 15, lines 7-12), and said game pattern comprises game features, graphic elements, and distribution of cards throughout a play field 14 for the play of a particular game (*see e.g.*, page 15, lines 7-10), said network connection 2022 only retrieving input and comparing scores during at least one of before and

after the play of the particular game (*see e.g.*, page 15, line 18 – page 16, line 2; page 16, lines 17-20; page 26, lines 18-21; page 30, line 12; FIGS. 7, 8c, 11b).

Group II – Claim 6

Claim 6 recites the method for playing a computer-based Klondike-style solitaire game according to claim 1, wherein said game pattern and rules to extend play comprise multiple discard play stacks (*see e.g.*, 17a-17e in FIG. 1) from which a card may be moved to said column 12 or ace stack 24 in a conventional Klondike solitaire game (*see e.g.*, page 10; FIG. 1).

Group III – Claim 8

Claim 8 recites the method for playing a computer-based solitaire game according to claim 1, wherein said game pattern and rules to extend play further comprise a wild card feature (*see e.g.*, 20 in FIG. 1) in which if a player chooses a wild card 20 to place on a desired location, a first card that can be played at said desired location is marked in said play stack 17a-17e or said column 12, and when said first card is revealed later, said first card is removed from play and a next card in said column 12 is revealed (*see e.g.*, page 11, line 14 – page 12, line 11; FIGS. 1-3).

Group IV – Claim 9

Claim 9 recites the method for playing a computer based Klondike-style solitaire game according to claim 1, wherein said game pattern and rules to extend play further comprise a play stack 60 for future play (*see* FIG. 4) in which a player moves a card from a discard play stack 56 to said future play stack 60 and said card on said future play stack 60 is available for play at any time during the game (*see e.g.*, page 12, lines 11-16; FIG. 4).

Group V – Claims 12-16, 18, 19, 21, 24-27, and 29-30

Claim 12 is independent. It recites a method for operating a tournament Klondike-style

solitaire game over the internet 2022 (*see e.g.*, page 7, lines 6-9; pages 29-30; FIGS. 9, 11a, & 11b). The method comprises:

- establishing communication over said internet 2022 between a central server 2026 and a plurality of players' computers 2000, 2030, 2032, 2034 (*see e.g.*, 1004 in FIG. 8a; FIG. 9; page 24, lines 18-19; page 27, line 2 – page 28, line 15),
- downloading an input (*see* 1026 in FIG. 8a) onto said players' computers 2000, 2030, 2032, 2034, said input comprising a scoring method, a game pattern, and a tournament structure, said game pattern comprising data to generate a random sequence of cards and game features that extend play (*see e.g.*, page 25, line 20 – page 26, line 2; FIG. 8a), which are controlled and predetermined by said central server 2026 (FIG. 9), wherein said game pattern is likely unique to each player (*see e.g.*, page 23, lines 1-7), said game features selected from a group consisting of a multiple discard play stack feature 17a-17e (*see e.g.*, FIGS. 1, 2, & 3; page 10, lines 2-5), a play later feature 60 (*see e.g.*, FIG. 4, page 12, lines 11-16), a wild card feature 20 (*see e.g.*, FIGS. 1-5; page 11, line 14 – page 12, line 8), a multiple game feature (*see e.g.*, page 22, lines 3-7), a sprint game feature (*see e.g.*, page 22, lines 8-15), and a bust the deck feature (*see e.g.*, page 13, lines 3-6);
- re-accessing periodically (*see* 1030 in FIG. 8b) to each said player's computer 2000, 2030, 2032, 2034 from said central server 2026 (*see e.g.*, page 14, lines 5-7; page 26, lines 3-6; FIG. 8b),
- transferring information relating to each said player's identity, the game, and game result to said central server 1026 (*see e.g.*, page 16, lines 21-22; page 26, lines 6-7 and lines 11-17; 1036 in FIG. 8c),

- comparing scoring results from multiple players in said central server 1026 according to said tournament structure (*see e.g.*, page 26, lines 11-13; 1042 in FIG. 8c),
- displaying said comparison results on said player's computer 2000, 2030, 2032, 2034 (*see e.g.*, page 26, lines 18-21; 1046 in FIG. 8c; FIG. 7), and wherein said player's computer 2000, 2030, 2032, 2034 only receives said input prior to playing a game (*see e.g.*, page 15, line 21- page 16, line 5; 1026 in FIG. 8b), and said player's computer 2000, 2030, 2032, 2034 optionally display commercial banners 38 from said server 1026 (*see e.g.*, page 9, lines 12-14; page 24, lines 3-11; FIG. 1) , and said game pattern comprises game features, graphic elements, and distribution of cards throughout a play field 14 for the play of a particular game (*see e.g.*, page 15, lines 7-16; page 16, lines 2-5; page 25, line 20 – page 26, line 2; 1026 in FIG. 8b).

Group VI – Claim 17

Claim 17 recites the method for operating a Klondike-style solitaire tournament game over the internet 2022 according to claim 12, wherein said tournament structure is that players who have never previously won before are capable of playing in said game (*see e.g.*, page 15, lines 2-4).

Group VII – Claim 20

Claim 20 recites the method for operating a Klondike-style solitaire tournament game over the internet according to claim 12, wherein said game pattern comprises multiple play stacks 17a-17e from which cards may be moved to said column 12 or said ace stack 24 (*see e.g.*, page 9, line 22 – page 10, line 6; FIGS. 1-3).

Group VIII – Claim 22

Claim 22 recites the method for operating a Klondike-style solitaire tournament game

over the internet 1022 according to claim 12, wherein said game pattern comprises a wild card feature (*see e.g.*, 20 in FIG. 1) in which if a player chooses a wild card 20 to place on a desired location, a first card that can be played at said desired location is marked in said play stack 17a-17e or said column 12, and when said first card is revealed later, said first card is removed from play and a next card in said column 12 is revealed (*see e.g.*, page 11, line 14 – page 12, line 11; FIGS. 1-3).

Group IX – Claim 23

Claim 23 recites the method for operating a Klondike-style solitaire tournament game over the internet 1022 according to claim 12, wherein said game pattern comprises a play stack 60 for future play (*see* FIG. 4) in which a player moves a card from a play stack 56 to said future play stack 60 to reserve for future use (*see e.g.*, page 12, lines 11-16; FIG. 4).

(vi) GROUNDS OF REJECTION TO BE REVIEWED

The following issues are presented to the Board:

Whether claims 1-12 and 29-30 are properly rejected under 35 U.S.C. §103 as being unpatentable over Thacher et al. (U.S. No. 5,917,725) ("Thacher") in view of Kelly et al. (U.S. No. 5,882,258).

Whether claims 13 and 15-27 are properly rejected under 35 U.S.C. §103 as being unpatentable over Thacher and Kelly, and further in view of Spaur et al. (U.S. No. 6,196,920) ("Spaur").

Whether claim 14 is properly rejected under 35 U.S.C. § 103 as being unpatentable over Thacher and Kelly, and further in view of Mothwurf (U.S. No. 5,919,090).

(vii) ARGUMENT INCLUDING GROUPING OF CLAIMS

The claims are grouped as follows:

Group I
Claims 1-5, 7, 10, and 11 stand or fall together.

Group II
Claim 6 is a separately patentable invention.

Group III
Claim 8 is a separately patentable invention.

Group IV
Claim 9 is a separately patentable invention.

Group V
Claims 12-16, 18, 19, 21, 24-27, and 29-30 stand or fall together.

Group VI
Claim 17 is a separately patentable invention.

Group VII
Claim 20 is a separately patentable invention

Group VIII
Claim 22 is a separately patentable invention.

Group IX
Claim 23 is a separately patentable invention.

It is respectfully submitted that the above groups of claims are separately patentable and do not stand or fall together. As set forth herein, while the arguments applicable to Group I are also applicable to Groups II-IX, there are additional arguments in favor of the patentability of each of Groups II-IX.

I. Argument

A. Background of the Invention

This invention relates to various adaptations which transform a conventional Klondike-

style solitaire game--a game designed to be played alone--to a game that is appropriate for tournament play allowing multiple players to compete in on-line tournaments. In general, Klondike-style solitaire is a well known game and is easily understood by potential players and therefore is an attractive concept for game developers. However, one problem with the game of Klondike solitaire is that if one plays according to the conventional rules, the player will often get stuck after only a few successful moves. This problem is referred to as a short stack. In addition, the chances of winning--or busting the deck--are only about one in thirty when the game is played according to the conventional rules. If there is a low mathematical probability of winning, the game is not as enjoyable to play.

While there are alternative versions of Klondike-style solitaire that allows drawing one card at a time from the stack, the game still does not have a high chance of wining.

The present invention is directed to a number of new features and tournament concepts that transform conventional Klondike-style solitaire into a game that is fun to play in an on-line format. In summary, a player selects a particular tournament from a menu that has a predetermined set of rules. Next a central server transmits the rules and provides a card sequence to the payer. The player plays the game according to the rules and then transmits his or her score back to the central server. The central server then displays the scores on an internet web page and makes an award in the tournament based upon the rules.

As discussed herein, some of the novel features of the invention are directed to manners in which a conventional Klondike-style game may be extended. In addition, the creation of the various tournament formats itself addresses the problem of short stacks and the low odds of busting the deck which are characteristic of the Klondike-style game. Using a tournament structure provides a number of opportunities to a player to begin new games with new card

sequences within a particular tournament. By providing multiple games in a single tournament event, the chance that the outcome of the game is based upon the luck of the draw is decreased.

The applicant recognizes that some of the isolated claimed features have been disclosed by the prior art in connection with other games- including other card games. However, it is submitted that the application to Klondike-style solitaire played in the tournament structure as disclosed and claimed were neither apparent nor obvious.

B. Summary of the Prior art

1. The Thacher Disclosure

Thacher discloses a tournament system for games, including video games wherein a player can enter a tournament by inserting his or her credit card into a game terminal. According to the disclosure, each player is provided with a credit card and the game may be activated after activation of a "player identifier reader" at the game location. After the game event, the player's score is transmitted to a central computer. See Column 2, lines 58-59. The disclosure also includes a handicapping system wherein a player's score is modified by handicap values that may be stored by a central processor. Game applications disclosed by Thacher include bowling tournaments (Column 1, lines 31-50), video games, pinball machines, and home computer games. Column 2, lines 11-22. Thus, the applicant recognizes that Thacher provides a general disclosure of providing for tournaments over computer networks for "video games" including games played on home computers.

It is not disputed that the invention is generally directed to specific applications of one of the particular systems that was broadly contemplated by Thacher. While Thacher teaches providing a network of games to be played in a tournament, Thacher does not teach or disclose playing solitaire over his system nor does he disclose the specific claimed game features that

enable the applicant's solitaire game to be adapted for tournament play.

2. The Kelly Disclosure

The applicant further acknowledges that Kelly discloses some of the claimed features of the present application. For instance, the Kelly reference generally discloses an electronic solitaire game wherein the player's score is based upon the speed of play, one of the features of the present invention. A central feature of Kelly is the use of an equalized deck. An equalized deck is a concept wherein short stacks are removed from the universe of possible card sequences. The card sequences that are provided to players are therefore not truly random, but rather are selected from a predetermined set. See column 10, lines 32 et seq. As Kelly explains, this feature alters the game from an outcome that was primarily luck to a skill-based game. Kelly describes that his invention "improves on the random nature of solitaire." See column 10, lines 8-10.

In addition, Kelly discloses a communications device (1) for linking games so that a bonus may be dependent on the input from multiple machines, (2) to allow multiple players to "participate in a game process" and (3) to allow for the distribution of prizes.

While Kelly describes alternative manners in which to create "equalized decks" including providing "wild cards" within a deck, see column 11, lines 7-15, this disclosure is not the same as the wild card concept that is disclosed and claimed by the applicant. Kelly's wild card is provided at either a predetermined interval within a deck, or appears to a player after a predetermined number of drawn cards that cannot be played have been removed from the playstack.

Accordingly, while Kelly uses the term "wild card" to describe his feature, his feature is

not similar to the wild card feature that is disclosed and claimed by the applicant. In contrast to Kelly, the applicant discloses providing a wild card icon, provided at the start of play, that can be played at anytime by the user, regardless of the revealed cards in the play stack. As discussed in the specification, the play of the wild card in the applicant's invention is a strategic decision. In summary, while the terminology is the same, the function and operation of the "wild cards" disclosed in Kelly and in the Applicant's specification are different.

C. Argument and Response to Each Ground of Rejection

(1) FIRST GROUNDS OF REJECTION. Claims 1-12 and 29-30 are not properly rejected under 35 U.S.C. §103 as being unpatentable over Thacher in view of Kelly

As explained herein, it is submitted that certain claimed elements set forth in claims 1 and 12 , and more particularly, (1) the distribution of a **random** sequence of cards in a Klondike-style game, and (2) the specific game features that enable extended play which are disclosed and claimed by the applicant are not rendered obvious by Thacher and Kelly.

In addition, the claimed tournament concepts recited in claims 29 and 30 are entirely absent from Thacher and Kelly. It is submitted that the combination of Thacher and Kelly does not teach the applicant's invention--nor does it lead one skilled in the art in the path of the applicant's invention. Rather, if one were to combine the teachings of Thacher with Kelly, the result would be a game using an equalized deck.

Independent Claim 11 is directed at a system on which to play a tournament Klondike solitaire game over a network. As discussed above, while Kelly discloses a similar card game, it does not disclose the concept of tournament play. Rather, in the Kelly high scores are simply displayed and a bonus is awarded based upon a high score that is displayed. While the Thacher reference generally discloses the tournament play concept in connection with video games, it is

submitted that one skilled in the art would not be motivated to play solitaire in a tournament format over a computer network as set forth in claim 11 and therefore the combination of Kelly and Thacher is not appropriate without the benefit of hindsight. Claim 11 is further distinguished from the prior art in view of the limitation directed to the network connection which is only active either before or after the play of a game. Because the network connection is not in continuous communication, the performance of the processor during game play is not degraded due to the demands that may be imposed by other functions relating to the network communication.

a. The random deck

Both independent Claims 1 and 12 of the present invention requires that the deck that is provided to a player be random. While Kelly describes in the background of the Related Art section the random provision of cards, he teaches away from use of this arrangement because "luck plays a more central role" in such games. Column 1 lines 9-25. Rather than teach such a random distribution, an important feature of Kelly's invention is the concept of using an equalized deck or a seeded deck to ensure that a predetermined minimum number of moves are possible during a particular game. See Column 10, lines 32 et seq. See also column 15, lines 26-33. The seeded deck feature is important to Kelly because (1) it increases the skill element of the game and (2) it results in fewer instances when a player becomes stuck early in a game. Kelly also discloses the concept of using wild cards that are interspersed in the deck as a manner in which to equalize the decks. See column 11, lines 7-15. Thus Kelly explicitly teaches away from providing a random set of cards.

It is submitted that the requirement in claim 1 that the card sequence be *random* patentably distinguishes over what is taught in the Kelly reference. Kelly uses "equalized decks"

which are thereby not random but rather reflect preselected card sequences. Moreover, Kelly's use of a seeded deck feature is significant in the context of the Applicant's invention because applicant also addressed these same problems–problems relating to increasing the level of skill exercised by players in the game and ensuring the length of the games is appropriate–and solved them in a different way. While Kelly used a seeded deck, the applicant used random card sequences and then added various game features and tournament rules formats which contemplate multiple iterations of games to increase the length of the games.

It is submitted that if one were to combine the Kelly and the Thacher references, one would have to follow the teachings of Kelly and provide an equalized deck. If not, the combination would be improper because the Examiner would be picking and choosing discreet elements from the prior art references, with the hindsight of the teachings of the present invention. It is submitted that if one were to combine the references, one would result in a combination with a equalized deck–not a random deck that has been claimed.

In addition to the limitation that requites that the cards be random, it is further submitted that claim 1 is not obvious over Thacher in view of Kelly because Kelly does not disclose or suggest providing the recited "*game rules and game patterns to extend play.*" These game rules and game patterns are described in the specification and particularly set forth in dependent claims. Rather, as discussed above, Kelly's only game rule that serves to extend play of the game or diminish the effects of "short stacks" is providing equalized decks and the interspersed wild cards within a deck (to achieve an equalized deck). While Kelly discloses what he refers to as a "wild card" feature, as discussed above, this feature is dissimilar to any of the "*game rules and game patterns*" as disclosed in the specification which provide support for this claim limitation. In the specification, these rules and pattern include (1) play from multiple discard

stacks (2) wild cards and (3) the future play feature.

b. The wild card feature of Claim 8 and the multiple stack feature of Claim 6 and future play of claim 9.

The "wild card" concept disclosed and claimed by the applicant (in claim 8) is materially different than the wild card disclosed by Kelly which is discussed above. In addition, Kelly does not teach multiple play stacks (Claim 6) or future play (Claim 9) in connection with a Klondike–style game. While Kelly discloses a multiple discard stack in connection with a different game, namely "Elevens," Kelly failed to appreciate that the alteration of rules in conventional Klondike-style solitaire, such as providing multiple discard stacks, also may result in an extended play. It is submitted that there is no suggestion in Kelly to apply the rules of the "Elevens" games to the Klondike game. It is noteworthy that Kelly limited his discussion of a future play option to the "Elevens" game where the concept may have been a part of the conventional rule paradigm. While the Examiner has suggested that "multiple discard play feature is commonly known in Klondike", the Applicant is not aware of such prior art.

c. The communications limitation of Claims 1 and 12

The applicant respectfully disagrees with the Examiner's reliance upon Kelly as a basis to reject the claimed communication features recited in claim 1 and 12. In this regard, claim 1 requires retrieving input relating to *inter alia* the particular tournament event, transmitting scores and transmitting the play sequence if it is a winning score is detected. Claim 12 requires that the input be received an that the periodically re-access the players computer for results. Finally, claim 12 recites a limitation wherein the player's computer only receives input prior to playing a game. These communications features help effect the claimed tournament concept and improve the performance of the processor of the player's computer.

First of all it should be appreciated that Kelly does not disclose a tournament concept that is claimed and therefore no input relating to a tournament is received by the player's computer. The communication features in Kelly are incorporated for different reasons than the reasons the applicant has linked his game. In this regard, a central feature of Kelly's game is the progressive bonus wherein a jackpot or bonus score is stored until a predetermined criteria has been met. The progressive bonus taught by Kelly may be set to increase based upon input from a single machine or a multiple number of machines that have been linked together. See Kelly, column 6, line 62 through column 7 line 23. Linking to numerous games increases the potential bonus and avoids a situation where there is no incentive to play games at the same premises having a lower bonus. It is therefore submitted that Kelly's "linking" feature is for a different purpose from that disclosed and claimed by the applicant. A further purpose of the communication link disclosed by Kelly was to *facilitate the redemption features*. See column 6, lines 53-61. Yet a third reason to link games is to allow multi-player games involving the *simultaneous* play of a card game on a single play field. See Kelly, column 7, lines 23-42. See also column 9, lines 1-3, column 6, lines 53-61. It is submitted that the linking feature of Kelly is ***not related to providing a tournament format*** and therefore, the Kelly reference does not disclose or suggest playing solitaire in the claimed tournament format where each player is provided with unique cards. There is no motivation or suggestion in the Kelly reference to arrange for play in a tournament format. In addition, Kelly does not recite the reception of the same input recited in claims 1 and 12 (Such as random cards of tournament rules).

While Kelly's communication features are not particularly instructive or suggestive with respect to the claimed invention, the applicant agrees that Thacher provides adequate disclosure to generally suggest providing communications structures or communications links between

remote games that allow comparison of scores. However, neither Thacher nor Kelly teaches or suggests transmitting data relating to the sequence of play of the game after the play of the game has been completed in response to the server recognizing that a winning score has been posted as recited in claim 1. The prior art merely discloses transmitting the identity of the player and posting the respective scores. As explained in the specification, this claimed feature minimizes the opportunity for fraud on the system. See specification at pages 16-17. Accordingly, claim 1 is further allowable in view of this limitation.

In addition, as recited in claims 12, there is no disclosure in the prior art of the central server periodically re-accessing the player's computer to obtain game results. Here the game results which are transmitted includes the sequence of the cards played when the result is a winning score. While Kelly contemplates that the central can allow multiple player to play a game, this is a different concept than having multiple player play different games – and more particularly play different card sequences in a tournament format; Accordingly Kelly does not disclose the "downloading" of "tournament structures" as claims 12 requires. Kelly's disclosures teaches or suggest that a single identical game be transmitted to multiple player computer and thus doe not disclose suggest or teach transmitting a game pattern- "wherein said game pattern is likely unique to each player" as required in claim 12.

d. <u>There is no motivation to combine Thacher with Kelly</u>

The Examiner's rejection of both claims 1 and 12 is based upon combining Kelly with the tournament concept that is taught by the Thacher reference. The applicant respectfully disagrees that one skilled in the art would be motivated to combine Thacher and Kelly to reach the claimed invention. First, the Thacher reference itself does not suggest its tournament concept would be applicable to electronic card games. Thacher's system generically discloses a system

for linking conventional "various kinds of video games, microprocessor operated pinball games, home computer video games, or the like." See column 2, lines 11-15. The inventors specifically identify PACMAN TM and SARGON TM. See column 12, lines 44-47. At column 11, lines 24-28 the inventors discuss the number of tries or number of men that are used during the game, which is not consistent with the play of card games.

One of the reasons that Thacher may have not considered card games, and more particularly solitaire, is because tournament play for electronic solitaire card games is counter-intuitive. Conventional solitaire, as reflected and reinforced by its very nomenclature, is intended to be played alone. Because solitaire is played alone and there is not a conventional scoring methodology, one skilled in the art would not consider solitaire as an appropriate game to adapt to a tournament structure. While there are numerous electronic solitaire games available, on information and belief, the overwhelming majority of these games are designed for single players. One of the reasons that it is not obvious to adapt solitaire to tournament formats is because the play of solitaire in most formats is not subject to numerical scoring. Games in conventional formats are either won, by busting the deck, or lost when a player becomes "stuck." Yet a further obstacle that would discourage those skilled in the art from selecting solitaire is that the end results are often the result of chance or luck rather than the exercise of skill. For example, it has been estimated that the chances of busting the deck using conventional solitaire rules in the Klondike version are approximately 1 in 30. See Exhibit 1. In conventional solitaire formats and rule paradigms, the games would frequently end after a few iterations of play because the player could not make a valid move and therefore would become stuck. Such games, referred to as "short stacks" are unsatisfactory to the player.

In addition, unlike golf games or tennis games or even bridge, solitaire is not

conventionally played in a tournament format. The applicant rejects the notion that the Thacher suggests that ***all*** video games may be adapted to a tournament structure. For example, many video games or personal computer games simply do not involve a competitive play concept and other games do not have appropriate scoring structures.

While there were a variety of reasons why electronic solitaire was not readily appropriate for adaptation to competitive tournament play, the inventors recognized that, if the problems identified above could be overcome, the game could be a success. The inventors thought the game may be appropriate for tournament play because the game concept is widely recognized and it is easily understood.

While Kelly recognized some of the problems with making a successful video game from the solitaire concept, he did not consider its applicability for tournament play. Like the applicant, Kelly devised a game wherein the score was based upon the speed of play. However, Kelly's response to the short stack problem--providing seeded decks that contained a predetermined minimum number of possible moves--was different than the inventor's solution. It is therefore submitted that one skilled in the art would not have been motivated to combine Thacher with Kelly to provide the claimed solitaire tournament game. It is only with the hindsight of the inventor's success, using the blueprint of the applicant's invention, that the combination of Thacher and Kelly makes sense.

e. <u>The combination of Thacher and Kelly does not teach the invention as claimed</u>

Even if one were to combine the Kelly solitaire game with the Thacher tournament concepts and adapt Kelly's solitaire game to a tournament format, it is submitted that this combination does not result in the claimed invention as recited in claim 1 or 12. First of all, as discussed above, Kelly's game uses a seeded deck rather than the <u>random</u> sequence of cards that

is provided by the server combined with the extended play game rules and game patterns as recited in claims 1 and 12. In addition, Kelly does not disclose or suggest:

(a) the future play feature (see Claims 9 and 23)

(b) the multiple play stacks feature (see Claims 6 and 20)

(c) the wild card concept (Claim 8 and 22))

(d) playing in a tournament structure that allows for multiple game events or iterations of new decks that are dealt and distributed. By providing the player with an increased number of play decks or games within a particular tournament, the adverse affect of receiving a short stack is diminished. *See also* claim 14 (Sprint game feature) and claim 16 ("bust the deck" feature) which also increase the length of games.

These innovative and creative concepts were developed by the applicant and applied to the solitaire game subject of the patent application. It is submitted that they are neither anticipated nor are these concepts obvious and therefore the applicant merits patent protection for the invention.

f. Objective indicia suggest that the claimed invention is not obvious

In addition to the reasons set forth above, the applicant requests that the Examiner consider the following objective evidence that tends to show that the invention is not obvious in view of the cited prior art.

(i) Commercial Success

The tournament solitaire game that is the subject of the present application has been commercialized by Tournament Games, Inc. and is marketed as Tournament Solitaire 2000. It is available for download and play on the internet site identified as www.tournamentgames.com. Notwithstanding the crowded and competitive market of internet games that Tournament Games

operates within, the solitaire tournament game and format has been a resounding success and, it is submitted, the claimed features of the game are an important part of this success.

As reflected by the declaration of Mr. Jack Pearson submitted herewith, the software development costs for the Tournament Game system were approximately $200,000 which primarily reflects the salary paid to employees and consultants for programming efforts. Tournament Solitaire 2000, a commercial embodiment of the invention including the claimed features, was launched in 2000. As Mr. Pearson's declaration reflects, the game generated revenues of almost $1.5 million dollars and profits of over $300,000 by 2004.

Notwithstanding (1) the limited advertising and marketing of the game, (2) the crowded marketplace for on-line games and (3) the proliferation of free internet games, this small Tennessee-based company has consistently earned a profit since its inception. This fact is remarkable considering the fact that it competes against heavily capitalized companies that have significant advertisement budgets and the ability to steer internet users to their respective sites. Popular websites such as Google, Yahoo and Microsoft Network, on information and belief, provide competing games for free and, on information and belief, operate on a business model wherein revenue is primarily earned through advertising.

Despite the limited marketing budget, the number of subscribers to the Tournament Games site continues to grow, the number of games played continues to increase and the revenues from game play continues to increase. *Id.* On information and belief, one of the major driving forces of the growth is based upon recommendations by existing players. While Tournament Game's Internet site has a number of games available, the claimed Tournament Solitaire 2000 game remains the most popular choice and it is believed that the popularity of the game is directly attributed to the claimed features. *See* Declaration of Mr. Pearson.

It is submitted that in these circumstances the commercial success of the invention is particularly probative of the obvious inquiry. Notwithstanding the teachings of Thacher, Kelly and others, there existed an untapped market for an appropriate solitaire game prior to the inventor's development. As the declaration of Jack Pearson shows, there was an economic incentive to make games like Tournament Solitaire 2000 because it would be easily understood by most players and therefore be user friendly. From an economic standpoint, developing the game and providing and managing the on-line tournament structure have relatively low entry barriers. Yet without the foresight of the inventors, this market may have been left undeveloped. Had the game been obvious, others would have quickly reaped the financial rewards and the present day market would be saturated with competing games incorporating the same features.

(ii) Teaching Away

While the Examiner relies upon the Kelly patent in the Office Action, in actuality it teaches away from the present invention. The Kelly patent would tend to lead one skilled in the art to alternative directions than those the inventors pursued and claimed in the patent. If one followed the teachings of Kelly, the resulting product would have incorporated an equalized deck concept, and not the various play features that were developed and claimed. In addition, while Kelly understood and appreciated some of the problems with adapting the solitaire game concept to an electronic version, he failed to appreciate that the game could be significantly enhanced by being played in a structured tournament format. Rather, Kelly disclosed simply posting the scores in a convention "High Game" or "High Score" arrangement rather than injecting a competitive tournament concept.

It is therefore respectfully submitted that the Examiner's rejection of claims 1 and 12 is not well founded.

Claims 2-5, 7[1], and 10, 11 are patentable for the same reasons as claims 1 9 (Group I).

Claims 13, 15-16, 18-19, 21, 24-27 and 29-30 are patentable for the same reasons as claim 12 (Group V).

Claims 6, 8, 9,

Claim 6 (Group II dependant on claim 1) is patentable for the same reason that Claim 1 is allowable and further because it discloses multiple game play stacks in a Klondike-style game. As discussed above, Kelly's disclosure of multiple play stacks is limited to Elevens and there is no suggestion to use the rule and paradigm from the Elevens game and apply them to Klondike-style solitaire.

Claim 8 (Group III dependent on claim 1) is directed to the wild card feature. As discussed above, the wildcard feature that is disclosed and claimed is dissimilar to the Kelly wild card feature. In addition, the Kelly reference does not suggest this type of wild card feature. This game feature serves to extend the play compared to conventional Klondike Solitaire rules and adds additional strategy to the game. In Kelly, the use of the wild card has no strategy component. *See also* Claim 22 (Group VI).

Claim 9 (Group IV, dependant claim 1) is directed to the "play later" feature. It is submitted that this concept is not disclosed or suggested by the prior art. Specifically, a player can select any card to reserve the card for future play. The future play card is not covered by cards from the play stack that cannot be played. This game feature serves to extend the play compared to conventional Klondike Solitaire rules and adds additional strategy to the game. *See also* Claim 23 (Group IX).

1 The Applicant does not rely upon the bonus scoring methodology for patentability.

In summary, the Applicant respectfully disagrees with the Examiner's position or premise that it would be obvious to combine a feature that has been disclosed with one game to another. For example, there are a very large number of solitaire and other card games and the number of potential game patterns or rules are immense. These rules and patterns are developed to be compatible with the particular game and, it is submitted, cannot be freely interchanged without materially affecting the game play, game strategy and the object of the game.

(2) Second Grounds of Rejection, Claim 13, 15-27 are not obvious in view of the cited references.

The Examiner has rejected Claims 13 and 15-27 under 35 U.S.C. §103 as being unpatentable over Thacher, and Kelly, and in further view of Spaur et al. (U.S. No. 6,196,920) ("Spaur"). As set forth above, Claims 12-15, 16, 18-19, 21, 24-27 and 30 stand or fall together.

With respect to the Examiner's application of the Spaur et al. U.S. Patent No. 6,196,920 ("Spaur") to claims 16, 17, 20, 22 and 23, it is important to consider that the present invention is limited to a Klondike-style solitaire game. The inventors recognized problems with the conventional Klondike-style solitaire and then set out to solve these specific problems. Spaur's invention is directed to on-line multiplayer games where multiple players play on a single play field in **real time**, simultaneously, and includes an advertising feature.

The Examiner relies upon Spaur to provide the disclosure of a tournament concept where a game server controls a game that is downloaded and played on multiple client machines including the play of card games. Spaur does not disclose Klondike-style solitaire.

The applicant's claimed game distinguishes from Spaur, *inter alia*, because multiple players do not play on the same play field at the same time on a shared screen with the same data

input. Klondike-style solitaire is a one-player game. In contrast, Spaur's game contemplates head to head competition using a single input dictating the card sequence. In contrast, in the applicant's game format, games are played on separate screens having separate and independent input relating to the card sequence. It is for theses reasons, one skilled in the art would not be motivated to combine the teachings of Spaur with Kelly and Thacher.

These distinctions are significant. One advantage disclosed by the claimed invention is that players do not have to wait for others to join a particular game in order to begin play. In addition, some players prefer to play against the clock or computer rather than directly compete with others players. Finally, the claimed tournament structure enables intermittent communication with the server which allows play on almost any bandwidth.

Claim 13 is dependant claim 12 and is allowable for the same reasons that claim 12 is allowable. In addition, it recites a tournament with a defines starting and ending point. The Applicant agrees that the concept of conducing a tournament having a predetermined starting an ending time does not patentability distinguish the invention alone and accordingly relies upon the reasons recited in connection with the arguments relating to claim 12 to sustain the patentability of this claim. For this reason, the Applicant has grouped this claim in Group V which is discussed above.

Claim 17. Claim 17 is directed to tournament entry criteria wherein the only eligible players for the tournament are players that have not previously won. It is submitted that this "maiden race" concept is novel and not obvious when applied to tournament play of solitaire games and is not suggested by the prior art.

Claim 20, directed to multiple discard stacks, is also allowable for the same reasons claims 6 and 12 are allowable.

Claim 22, directed to the wild card feature, is also allowable for the same reasons as claims 8 and 12.

Claim 23 is allowable for the same reasons set forth above with respect to claims 9 and 12.

C. Argument with respect to the Third Grounds of Rejection--Claim14

The Examiner has rejected claim 14 is properly rejected under 35 U.S.C. § 103 as being unpatentable over Thacher and Kelly, and further in view of Mothwurf (U.S. No. 5,919,090).

Claims 14 and 30 (Part of Group V, dependant on claim 12) are directed to the sprint game concept of a tournament wherein play proceeds from a designated starting time until a player reaches a particular score. This is known as the sprint tournament concept. It is submitted that this concept is attractive for playing Klondike Solitaire because it may provide for multiple game events wherein a player is provided with multiple decks. By increasing the number of decks that a player is provided within a given tournament, the effect of being provided a short deck on the final score is diminished.

The applicant agrees that Mothwurf discloses a sprint type game concept. Consequently, the Applicant has not argued that the invention recited in claims 14 was a separately patentable invention. Rather the Applicant relies on the same argument that support the patentability of claim 12 as recited above.

Conclusion of Argument

For the foregoing reasons, it is respectfully submitted that each of the pending claims is patentable over the cited references. Accordingly, the Examiner's rejection of these claims should be reversed.

Please charge the $250 requisite fee for filing a brief on appeal and the $225 fee for a

two-month extension of time to Deposit Account No. 22-0261. Should any additional fees be required, the Commissioner may charge the appropriate amount to our Deposit Account No. 22-0261 and notify the undersigned accordingly.

(viii) Claims Appendix. An appendix is attached containing a copy of the claims involved in the appeal.

(ix) Evidence Appendix. Evidence relating to the conventional Klondike-style solitaire is attached as Exhibit 1 to the Appendix; Exhibit 2 to the Appendix is a declaration from Mr. Jack Pearson.

(x) Related proceedings Appendix. There are no materials for this appendix.

Respectfully submitted,

Date: 4/26/07



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CLAIMS APPENDIX

1. A method for playing a computer-based Klondike-style solitaire game in a tournament framework comprising,

selecting a tournament event having predetermined entry criteria and game features from a game menu,

wherein said entry criteria comprises a tournament start time,

retrieving input over the internet regarding said tournament event including data to generate a random card sequence and instructions to enable said game features associated with said selected tournament event from a server to a personal computer after said tournament start time and before a tournament ending event, wherein said game features comprise game rules and game patterns to extend play, and graphic elements,

playing and scoring solitaire games according to said input by moving cards from play stacks to a column or an ace stack or between said columns in said personal computer and said score is based in part on the speed that a player successfully makes a move,

transmitting scores from said personal computer over the internet to a server after said game is complete and before said tournament ending event occurs,

comparing said score to the scores of other players that are entered into said tournament event, and, in the event that said transmitted score is determined to be a winning score, transmitting information comprising the game play sequence, and

displaying said scores on a website that can be accessed by said players, and wherein said personal computer only receives input from said internet server, before and after said solitaire game.

2. The method for playing a computer-based Klondike-style solitaire game according to claim 1 further comprising

comparing a score of said solitaire game with scores of other players in said internet server to obtain rankings of the players, and

displaying said score and said rankings on said computer.

3. The method for playing a computer-based Klondike-style solitaire game according to claim 1 wherein said graphic elements comprise a play field background and a card back graphics.

4. The method for playing a computer-based solitaire game according to claim 1 wherein said scoring method is selected from said group consisting of comprising scoring by a speed of each successful move, scoring by a total number of successful moves and said combination thereof.

5. The method for playing a computer-based solitaire game according to claim 4 wherein said scoring by a speed of each successful move is indicated by an elapsed/countdown time indicator.

6. The method for playing a computer-based Klondike-style solitaire game according to claim 1 wherein said game pattern and rules to extend play comprise multiple discard play stacks from which a card may be moved to said column or ace stack in a conventional Klondike solitaire game.

7. The method of playing a computer-based Klondike-style solitaire game according to claim 1 wherein said game pattern further comprises a target indicator displayed in association with a column stack, and when a player removes all cards in said column stack, the player is awarded a bonus score.

8. The method for playing a computer-based solitaire game according to claim 1 wherein said game pattern and rules to extend play further comprise a wild card feature in which if a player chooses a wild card to place on a desired location, a first card that can be played at said desired location is marked in said play stack or said column, and when said first card is revealed later, said first card is removed from play and a next card in said column is revealed.

9. The method for playing a computer based Klondike-style solitaire game according to claim 1 wherein said game pattern and rules to extend play further comprise a play stack for future play in which a player moves a card from a discard play stack to said future play stack and said card on said future play stack is available for play at any time during the game.

10. The method for playing a computer-based solitaire game according to claim 1 wherein said game pattern comprises a method for a player to prematurely end said game.

11. A computer-based Klondike-style solitaire tournament game comprising

a network connection to a server for retrieving an input and for comparing scores, and

a control system for a player, said control system comprising means for operating on said input means to transmit scores to said server, and means for displaying said input and said comparison results to said players,

wherein said input comprises a scoring method and a game pattern which is unique to each player and said input is controlled and predetermined by said server, and said game pattern comprises game features, graphic elements, and distribution of cards throughout a play field for the play of a particular game, said network connection only retrieving input and comparing scores during at least one of before and after the play of the particular game.

12. A method for operating a tournament Klondike-style solitaire game over the internet comprising establishing communication over said internet between a central server and a plurality of players' computers,

downloading an input onto said players' computers, said input comprising a scoring method, a game pattern, and a tournament structure, said game pattern comprising data to generate a random sequence of cards and game features that extend play, which are controlled and predetermined by said central server, wherein said game pattern is likely unique to each player, said game features selected from a group consisting of a multiple discard play stack feature, a play later feature, a wild card feature, a multiple game feature, a sprint game feature, and a bust the deck feature;

re-accessing periodically to each said player's computer from said central server,

transferring information relating to each said player's identity, the game, and game result to said central server,

comparing scoring results from multiple players in said central server according to said tournament structure,

displaying said comparison results on said player's computer, and

wherein said player's computer only receives said input prior to playing a game, and said player's computer optionally display commercial banners from said server, and said game pattern comprises game features, graphic elements, and distribution of cards throughout a play field for the play of a particular game.

13. The method for operating a Klondike-style solitaire tournament game over the internet according to claim 12 wherein said tournament structure is that scores are collected over a predetermined length of time period, players are provided data that results in a randomly shuffled decks of cards, and a player with a highest score within said period wins.

14. The method for operating a Klondike-style solitaire tournament according to claim 12 wherein said tournament structure is that said game progresses until a first player exceeds a predetermined score and said tournament begins at a predetermined time.

15. The method for operating a Klondike-style solitaire tournament game over the internet according to claim 12 wherein said tournament structure is that a player has a predetermined length of time period to make a successful play and each successful play is credited with a predetermined non-decreasing point value, and a player with highest point value within said period wins.

16. The method for operating a Klondike-style solitaire tournament game over the internet according to claim 12 wherein said tournament structure is that a player first to bust a deck wins.

17. The method for operating a Klondike-style solitaire tournament game over the internet according to claim 12 wherein said tournament structure is that players who have never previously won before are capable of playing in said game.

18. The method for operating a Klondike-style solitaire tournament game over the internet according to claim 12 wherein said scoring method is selected from said group consisting of scoring by a speed of each successful move, scoring by a total number of successful moves and said combination thereof.

19. The method for operating a Klondike-style solitaire tournament game over the internet according to claim 18 wherein said scoring by a speed of each successful move is indicated by an elapsed/countdown time indicator.

20. The method for operating a Klondike-style solitaire tournament game over the internet according to claim 12 wherein said game pattern comprises multiple play stacks from which cards may be moved to said column or said ace stack.

21. The method of operating a Klondike-style solitaire tournament game over the internet according to claim 12 wherein said game pattern further comprises a target indicator

displayed in association with a column stack, and when a player removes all cards in said column stack, the player is awarded a bonus score.

22. The method for operating a Klondike-style solitaire tournament game over the internet according to claim 12 wherein said game pattern comprises a wild card feature in which if a player chooses a wild card to place on a desired location, a first card that can be played at said desired location is marked in said play stack or said column, and when said first card is revealed later, said first card is removed from play and a next card in said column is revealed.

23. The method for operating a Klondike-style solitaire tournament game over the internet according to claim 12 wherein said game pattern comprises a play stack for future play in which a player moves a card from a play stack to said future play stack to reserve for future use.

24. The method for operating a Klondike-style solitaire tournament game over the internet according to claim 12 wherein said game pattern comprise a seed of a random number generated by said central server to decide a deal card sequence in said player's computer.

25. The method for operating a Klondike-style solitaire tournament game over the internet according to claim 12 further comprising

verifying user name and ID of said player, and

deducting money from said player's account if said game is a paid-for game before the step of downloading an input into said player's computer.

26. The method for operating a Klondike-style solitaire tournament game over the internet according to claim 12 wherein said graphic elements comprise a play field background and a card back graphics.

27. The method for operating a Klondike-style solitaire tournament game over the internet according to claim 12 wherein said game pattern comprises a method for a player to prematurely end said game.

29. The method as described in claim 1 wherein said tournament ending event comprises a predetermined time.

30. The method as described in claim 1 wherein said tournament ending event comprises reaching a predetermined score.

EVIDENCE APPENDIX

Evidence relating to the conventional Klondike-style solitaire is attached as Exhibit 1 to the Appendix; Exhibit 2 to the Appendix is a declaration from Mr. Jack Pearson.

RELATED PROCEEDINGS APPENDIX

None

1st Annual WorldWinner
Solitaire World Championship
$2500 WorldWinner Solitaire World Championsh

SOLITAIRE INFO
- Solitaire Rulebook
- Solitaire Lexicon
- Solitaire FAQ
- Solitaire Rarities
- Free Solitaire
- Retail Solitaires
- Solitaire Links
- Handheld Solitaires

SOLITAIRES FOR ...
- Windows
- MS-DOS
- Macintosh
- Online
- Palm Pilot
- Windows CE
- Linux
- Other...

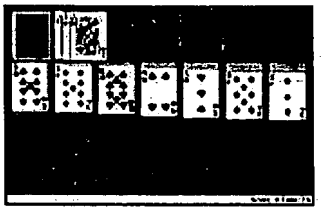
SOLITAIRE GAMES
- Absolute Yukon
- Midnight Oil
- 21 Solitaire
- Poker Solitaire
- Chinese Solitaire
- Mount Sunflower
- Idiot's Delight
- Four Seasons
- Solitaire Suite
- Simple Pleasures
- Pyramid Deluxe
- More Games...

PARTNER SITES
- Arcade Game Central
- Board Game Central
- Cash Game Central
- The House Of Cards
- Puzzle Central
- Cleversoul Books

Solitaire Rulebook - Klondike

SELECT GAME | BOOKS | REQUEST | OTHER SITES | SEARCH FOR RULES

Description



This is probably the best-known solitaire in the world. Many people don't even realize that other games exist. Though the name may not be familiar, the game itself certainly is. This is due in no small part to Microsoft's inclusion of the the game in every version of Windows, though their naming the game "Microsoft Solitaire" only added to the confusion about the game's proper name.

Though popular, the odds of winning are rather low, perhaps one in thirty hands. Numerous variations have been devised to improve the odds.

Rules

Number of Decks: 1

Alternate Names: Canfield, Chinaman, Demon, Fascination, Small Triangle

Initial Layout: The tableau consists of seven columns, with the first colum containing one card, the second column two cards, the third column three cards, and so on. The top card of each column is face-up; the remainder of the cards are face-down. The 24 unplayed cards are left face-down to form the stock.

Object: The object of the game is to move the four aces, as they appear, to the foundations, and build each up in suit from ace to king (A-2-3-4-5-6-7-8-9-10-J-Q-K).

Play: Turn cards face-up from the stock three at a time onto a wastepile. The top card of the wastepile may be played onto the tableau or foudations. Likewise, the top card of each tableau pile is available for play onto the foundations or another tableau pile. Cards within the tableau may be build down in sequence and alternating color. A sequence of cards may be moved as a unit from one pile to another. When a face-down tableau card is exposed, turn it face-up. If a space is created in the tableau, it may only be filled with a king. The stock may be recycled from the wastepile when it becomes empty. The game ends when either all foundations are filled (in which case you've won), or when no more moves are possible (or when the only possible move is to recycle the stock). In this case you've lost.

A slightly easier version of the game allows you to pull cards from the stock one at a time (rather than three at a time). In some versions of the game, this also limits the

number of redeals you're allowed (usually to two).

Other Rules: Pretty Good Solitaire, Solitaire Till Dawn, solitairegames.com

Variations

- **Agnes Bernauer** - The initial layout starts with the same seven tableay piles as Klondike, but adds seven reserve piles, one below each tableau pile. Also, the first card of the first foundation is established during the intial deal, and is thus a random card rather than always an ace. All other foundations will also start with the same value. Tableaus are built down in alternating colors. Cards in sequence may be moved as a group. The top card of each of the reserve piles is available for play at all times. Spaces in the tableau may only be filled by a card (or group) based on a value one below the start foundation value. (For example, if the foundations started with a "6", tableau spaces may ony be filled with "5".) When no more moves are possible, deal seven more cards from the stock to the reserve piles. There is no redeal. [PGS]
- **Agnes Sorel** - Starts the same as Klondike, except that the first card of the first foundation is established during the intial deal, and all other foundations will also start with the same value. Tableaus are built down in sequences of the same color. Cards in sequence and color may be moved as a group. Spaces in the tableau are not filled. When no more moves are possible, deal seven more cards from the stock to the tableau piles. There is no redeal. [PGS]
- **Alaska** - Deal the initial 28 cards the same as in Klondike, then deal the remainder of the deck face-up onto the six right-most tableau columns. Build foundations up in suit from ace to king. Within the tableau, build up or down by suit. Spaces may only be filled by kings. [PGS]
- **Double Klondike** - Plays exactly like Klondike except that it uses two decks, eight foundations, and nine tableau piles. Pull cards from the stock three at a time (harder) or one at a time (easier). [PGS]
- **Thumb And Pouch** - Same as Klondike, except that tableau building does not require building in alternate colors, only in different suits. Also, any card or sequence can be moved into a space (rather than just kings). [PGS]
- **Whitehead** - Very similar to Klondike, except that after dealing out the twenty-eight cards to form the triangular shape of the tableau (all cards are dealt face-up), the twenty-ninth card forms the basis of the first foundation. All other foundations must also start with the same card value. Cards are pulled from the deck one at a time; there is no redeal. Within the tableau, cards are built downwards in color. A sequence of cards in suit may be moved as a block. Spaces within the tableau may be filled by any card. [PGS]

Note: "PGS" references the fine collection of online rules from "Pretty Good Solitaire".

Implementations

- **Windows:** Action Solitaire, Classic Solitaire, Pretty Good Solitaire, Solitaire Plus, Solitude for Windows, SolSuite, Super GameHouse Solitaire
- **Macintosh:** 3D Klondike, Klondike (Casteel), Solitaire House, Solitaire Plus! for MacOS X, Solitaire Till Dawn, SpoydWorks Solitaire
- **Palm Pilot:** Classic Solitaire, Kickoo's Patience, Klondike Mania Pro, Klondike-on-the-Palm, Patience, Solebon Premium Solitaire, Solitaire City, Solitaire Pack
- **PocketPC:** Kritical Klondike, PocketSol, SolPaq
- **Online:** GameColony.com, SkillJam.com, Tournament Solitaire, WorldWinner.com